

House File 224 - Introduced

HOUSE FILE 224

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 67)

A BILL FOR

1 An Act relating to privileged communications between certain
2 peer support group counselors and officers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80.7A Peer support group counselor.

2 The commissioner may designate a peer support group
3 counselor as provided in section 622.10, subsection 9.

4 Sec. 2. Section 622.10, Code 2013, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 9. a. A peer support group counselor
7 who obtains information from an officer by reason of the
8 counselor's capacity as a peer support group counselor
9 shall not be allowed, in giving testimony, to disclose any
10 confidential communication properly entrusted to the counselor
11 by the officer while receiving counseling.

12 b. The prohibition in this subsection does not apply where
13 the officer has consented to the disclosure of the information
14 specified in paragraph "a".

15 c. For purposes of this subsection:

16 (1) "Officer" means a peace officer, certified law
17 enforcement officer, fire fighter, emergency medical
18 technician, corrections officer, detention officer, jailer,
19 probation or parole officer, communications officer, or
20 any other law enforcement officer certified by the Iowa law
21 enforcement academy and employed by a municipality, county, or
22 state agency.

23 (2) "Peer support group counselor" means either of the
24 following:

25 (a) A law enforcement officer, fire fighter, civilian
26 employee of a law enforcement agency, or civilian employee of a
27 fire department, who has received training to provide emotional
28 and moral support and counseling to an officer who needs those
29 services as a result of an incident in which the officer was
30 involved while acting in the officer's official capacity.

31 (b) A nonemployee counselor who has been designated by the
32 commissioner of public safety to provide emotional and moral
33 support and counseling to an officer who is a peace officer as
34 defined in section 80.7A who needs those services as a result
35 of an incident in which the officer was involved while acting

1 in the officer's official capacity.

2 EXPLANATION

3 This bill relates to certain public safety peer support
4 group counselors and privileged communications between such
5 counselors and officers.

6 The bill provides that a peer support group counselor
7 who obtains information from an officer by reason of the
8 counselor's capacity as a peer support group counselor
9 shall not be allowed, in giving testimony, to disclose any
10 confidential communications properly entrusted to the counselor
11 by the officer while receiving counseling. The bill creates an
12 exception in cases where the officer has given the officer's
13 consent to the disclosure of such information.

14 The bill defines "officer" to mean a peace officer,
15 certified law enforcement officer, fire fighter, emergency
16 medical technician, corrections officer, detention officer,
17 jailer, probation or parole officer, communications officer,
18 or any other law enforcement officer certified by the Iowa law
19 enforcement academy and employed by a municipality, county, or
20 state agency.

21 The bill defines a "peer support group counselor" as a
22 law enforcement officer, fire fighter, civilian employee of
23 a law enforcement agency, or civilian employee of a fire
24 department, who has received training to provide emotional and
25 moral support and counseling to an officer who needs those
26 services as a result of an incident in which the officer
27 was involved while acting in the officer's official capacity
28 or a nonemployee counselor who has been designated by the
29 commissioner of public safety to provide such support and
30 counseling to a peace officer under the same circumstances.
31 The bill gives the commissioner the authority to designate a
32 peer support counselor.